

CIVIL DOCKET
UNITED STATES DISTRICT COURT

BARROW
 Jury demand date: 5/10/72 by pltf.

71-C-255

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS					
<p>NEVER M. FAIL, JR. Gerald L. Kramer, Party Pltf. vs THE TEXAS & PACIFIC RAILWAY COMPANY</p>		<p>For plaintiff: 749-7776 HALL & SUBLETT Eugene A. Hoefling 905 Nat'l Bank of Tulsa Bldg. Tulsa, Oklahoma 74103 <i>2835 E. Skelly Drive</i> <i>Tulsa 74105</i></p> <p>For defendant: DYER, POWERS and MARSH 587-0141 William K. Powers 1501 4th Nat'l Bank Bldg. Tulsa, Oklahoma 74119</p>					
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.		
J.S. 5 mailed <i>8-1-71</i>	Clerk	7-13-71 7-15-71	Powers C.D.No. 4	15 00	15 00		
J.S. 6 mailed <i>11-1-72</i>	Marshal						
Basis of Action: Personal Injuries & Property damages by train collision	Docket fee incurred Witness fees						
Action arose at:	Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
7-13-71	Petition for Removal from District Court of Tulsa County, State of Oklahoma, filed. r	
7-13-71	Bond for Removal of Cause. General Ins. Co. of America as Surety in the amount of \$500.00. Filed.	
7-13-71	Notice of Filing Petition and Bond for Removal, filed. r	
7-21-71	Answer filed. v	
9-15-71	Depositions of Francis Batchelor and Claude Harold Bilby on behalf of plaintiff taken before Thomas G. Bloxom on Aug 18, 1971 filed. h(\$47.00)h	
9-24-71	Deposition of Never M. Fail, Jr., on behalf of deft. taken before Thomas G. Bloxom on 8-18-71. (Fee \$53.00) paid by deft. Filed. r	
12-8-71	Parties directed to hold pre-trial prior to 1-12-72 and file pre-trial order not later than 1-19-72. (AEB-J)m	
1-17-72	Application of the Plaintiff and the Defendant for Extension of Time, filed. v --No order, sent original pleading to the Judge. Brought order on 1-19-72	
1-20-72	Order extending time for counsel for all parties to file pre-trial order granted, from 1/19/72 to 1/29/72. (AEB-J) rm parties notified	
1-31-72	Pre-Trial Conference Report, filed by the Parties. v	
3-8-72	Application to strike case from trial docket, filed. ds order to judge	
4-10-72	Application for Permissive Joinder of an Additional Party Plaintiff, of Eugene A. Hoefling, atty. for Gerald L. Kramer, with brief in support, filed. v	original added 1-20-72
5-4-72	Order striking case from jury docket of 5-22-72, and granting pltf. 30 days from this date to make application to join additional party or parties pltf., filed. (AEB-J)g	
5-4-72	Order Allowing Permissive Joinder of Additional Party Plaintiff and Allowing Filing of Amended Complaint, filed. Plaintiff is granted 5 days to file amended complaint. Further ordered that Gerald L. Kramer shall be permitted to join this cause as an additional party pltf., and is granted 5 days to set forth his cause of action in this complaint by separate count. Further ordered that the Deft. shall be granted 10 10 days from the filing of such amended complaint to file appropriate pleadings or answer thereto, filed. (AEB-J)v	
5-9-72	Ordered by the Clerk that pltfs. are granted an additional 10 days to file amended complaint & deft. granted 10 days from the filing of said complaint to file appropriate pleadings or answer thereto. (JHP-C1k) (letter written)hm	
5-10-72	Demand for jury trial by pltfs., filed. rm	
5-19-72	Amended complaint of pltf., filed. rm	
5-24-72	It is ordered that the defendant is granted 10 days from 5-29-72 in which to plead or answer to the amended complaint. (AEB-J)h letter mailed	
6-8-72	Answer of def. Texas & Pac. to amended complaint, filed. rm	
6-8-72	Answer to amended complaint on behalf of Gerald L. Kramer, filed. rm	
6-12-72	Parties directed to hold pre-trial prior to 7-24-72 and file pre-trial order not later than 7-31-72. (AEB-J)hm	
6-19-72	Reply of plaintiffs filed. h	
8-7-72	Pre-Trial Order, filed (AEB-J) js	
9-8-72	Case set for Jury trial on Monday, Sept. 25, 1972 at 10am. (AEB-J)h	
9-25-72	Case called for jury trial. Parties present and announce settlement, and case stricken from docket. (AEB-J)h	
10-12-72	Stipulation and agreement, filed. hm Copy w. order to Judge	
10-13-72	Order approving settlement and ordering dismissal, filed and entered. (AEB-J)rm	copy w. order to Judge